

# Town of Milton

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Milton, DE 19968




[www.milton.delaware.gov](http://www.milton.delaware.gov)

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To: Mayor & Council

From: Robin Davis   
Project Coordinator

Date: 08/29/13

Ref: Agenda Item #13C

## Ordinance Amendment – Home Occupations (Update)

As requested at the September 9, 2013 Town Council meeting, the Code Enforcement Officer and I are compiling additional information regarding the possible ordinance amendment to Section 220 of the zoning ordinance pertaining to home occupations. We have started contacting those businesses that were listed on the spreadsheet in order to get a better understanding of the actual classification and activities performed by these companies. Property site visits are also being conducted to determine what type of impact, if any, these businesses have on the character of the residential neighborhood. Zoning Ordinances from surrounding municipalities have been copied to show how home occupations/home based businesses are classified and the requirements that must be followed to insure the businesses are code compliance. You will see as you review the attached ordinances of the municipalities listed below, these types of businesses fall under a permitted or permitted accessory use. Direct contact was made to the Town of Laurel. Home occupations are listed as a special permitted use in their zoning ordinance and must meet the same requirements as listed in our zoning ordinance.

The following is submitted for review:

Business listing spreadsheet – list has been reconfigured into different categories

- Location of the properties

- Business type

Zoning Ordinances

- City of Lewes

- Town of Georgetown

- City of Harrington

Additional information will be provided at upcoming meeting. Please contact me if there are any questions. Thank you.



City of Lewes, DE  
Thursday, October 24, 2013

## Chapter 197. ZONING

### Article IV. Use Regulations

#### § 197-45. Home-based businesses.

A. Definition. A "home-based business" is any business, occupation, or activity undertaken for gain and conducted entirely within a dwelling unit by the residents thereof which is clearly incidental and secondary to the use of the structure for dwelling purposes. The home-based business shall be conducted entirely within either the dwelling or an accessory building, but not both.

B. Permitted home-based businesses:

- (1) Offices for professionals, including but not limited to architects, brokers, counselors, clergy, draftspersons and cartographers, engineers, insurance agents, lawyers, real estate agents, accountants, editors, publishers, journalists, psychologists, contract managers, graphic designers, construction contractors, landscape designers, surveyors, cleaning services personnel, salespersons, manufacturers' representatives, travel agents, and caterers.
- (2) Instructional services, including but not limited to music, dance, art and craft classes, and tutoring and not to exceed three students at a time.
- (3) Studios for artists, sculptors, musicians, photographers, and authors.
- (4) Workrooms for tailors, dressmakers, milliners, and craftspersons, including but not limited to weaving, lapidary, jewelry making, cabinetry, and woodworking.
- (5) Repair services, including watches and clocks, small appliances, computers, electronic devices.

C. Prohibited home-based businesses:

- (1) Day-care center, adult.
- (2) Day-care center, child.



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- (2) Instructional services, including but not limited to music, dance, art and craft classes, and tutoring and not to exceed three students at a time.
- (3) Studios for artists, sculptors, musicians, photographers, and authors.
- (4) Workrooms for tailors, dressmakers, milliners, and craftspersons, including but not limited to weaving, lapidary, jewelry making, cabinetry, and woodworking.
- (5) Repair services, including watches and clocks, small appliances, computers, electronic devices.

C. Prohibited home-based businesses:

- (1) Day-care center, adult.
- (2) Day-care center, child.

- (3) Kennels, stables, veterinary clinics and hospitals.
- (4) Medical clinics, medical offices, dental clinics, dental offices, hospitals.
- (5) Restaurants, bars, and nightclubs.
- (6) Funeral homes and undertaking establishments.
- (7) Adult uses.

D. Operational standards.

- (1) Operating hours:
  - (a) Customer and client visits to the home-based business shall be limited to the hours from 7:00 a.m. to 9:00 p.m.
- (2) Exterior environment.
  - (a) Home-based businesses shall not generate volumes of vehicular or pedestrian traffic or parking demand that is inconsistent with the character of the neighborhood.
  - (b) No alteration shall be made in either the external structural form or the external appearance of the residential building for purposes of any home occupation.
  - (c) No evidence of any home occupation shall be visible from off the lot where it is conducted.
  - (d) There shall be no displays of goods on the premises that are visible from a public street or adjacent properties.
  - (e) Any commercial vehicle used in conjunction with the occupation shall be subject to the provisions of this chapter governing commercial vehicles in residential zones.
  - (f) Equipment or materials used in a home-based business may be stored outside the principal residence in an enclosed accessory structure.
- (3) Employees. Employees of a home occupation shall be limited to permanent residents of the dwelling unit.
- (4) Equipment. The operation of the home-based business, including equipment used therein, shall not:
  - (a) Create any vibrations, heat, glare, dust, odors, or smoke discernible at the property lines.
  - (b) Generate noise that violates any City ordinance or regulation pertaining to noise.

(c) Use and/or store hazardous materials in excess of quantities otherwise permitted in residential structures.

(5) Signs. See Article **VIII**.





City of Lewes, DE  
Thursday, October 24, 2013

## Chapter 197. ZONING

### Article VIII. Signs and Billboards

#### § 197-69. Sign regulations by zoning district.

##### A. Residential districts.

- (1) Applicability: R-1, R-2, R-2(H), R-3, R-3(H), LC, and LC(H) Districts.
- (2) Customary signs and fixed symbols, in conjunction with residential usage, such as mailbox signs and names of residences. No such sign shall exceed 15 square feet in area, nor shall it be illuminated.
- (3) Except as may otherwise be provided in this article, no signs shall be displayed from the interior of any structure so as to be plainly visible from outside such structure.
- (4) Freestanding community signs for residential subdivisions, mobile home parks, multiple-family complexes having six or more units, schools, churches, or other institutional uses permitted in the district:
  - (a) Number: one per street frontage, to a maximum of two signs per subdivision, park, multiple-family complex, school, church or other institutional use.
  - (b) Size. Each sign shall be no greater than 24 square feet.
  - (c) Location. Signs shall be located at least five feet from any property line.
  - (d) Height. No higher than six feet from the grade.
- (5) Wall signs for multiple-family complexes having six or more units and nonresidential uses:
  - (a) Number: one per street frontage.
  - (b) Size: no greater than 12 square feet.
- (6) Signs for home-based businesses and bed-and-breakfast establishments.

- (a) Number. A licensed home occupation, professional office, or bed-and-breakfast establishment shall be permitted only one identification sign that is freestanding, projecting, or affixed flat against the residence.
  - (b) Size: no greater than three square feet in area.
  - (c) Freestanding sign standards.
    - [1] Height: no higher than four feet from grade level.
    - [2] Location: not less than two feet from the public right-of-way.
  - (d) Any sign must be placed or sized so as not to impede visibility for vehicular or pedestrian traffic.
- (7) Windblown displays may be flown or displayed in the R-1, R-2, R-2(H), R-3 and R-3(H) Districts and may be flown in the LC and LC(H) Districts when the primary use for the property is residential, provided that:
- (a) No windblown display shall be permitted on any lot carrying a commercial message in conjunction within a commercial use or activity occurring on any other specific lot within the City or within a one-mile radius of the City.
  - (b) Where flown or displayed upon any lot upon which a commercial use or activity is occurring, the following restrictions shall apply:
    - [1] No more than three windblown displays per lot may be flown or displayed at the same time.
    - [2] No windblown display shall exceed three feet by five feet in area.
  - (c) No windblown display shall be illuminated in any fashion, except for flags of sovereign nations, states, counties or municipalities.
  - (d) Flags of sovereign nations, states, counties or municipalities may be illuminated by any conventional methods, but:
    - [1] Revolving flashing, animated, or moving lights shall not be permitted.
    - [2] All such illuminated flags shall be flown or displayed from the same flagpole, staff or other similar device; any illumination shall be enclosed and directed to prevent the light from shining directly into traffic or residential property or otherwise restricting visibility.

**B. Nonresidential districts.**

- (1) Applicability: TC, GC, MC, C/H, CF, CF(E), CF(HC), I Districts.
- (2) Standards.

- (a) Temporary signs and/or banners used for holidays, public demonstrations, or promotion of civic welfare or charitable purposes, when authorized by the Building Official.
- (b) The Building Official will consider the size of the proposed sign in relation to the location and zoning of the area in which it is proposed for placement.
- (c) Temporary signs, i.e., garage sales, shall be removed within two days following the event.

C. Sign specifications: mixed use.

- (1) In case of a mixed-use building or lot, sign rules shall be those pertaining to the primary use.
- (2) In case of a conflict, the most stringent regulation shall apply.

D. Structures with multiple uses. The following shall be allowed:

- (1) One freestanding sign identifying the structure and/or the separate primary tenants or business uses.
- (2) One wall sign for each tenant or business.



City of Lewes, DE  
Thursday, October 24, 2013

## Chapter 197. ZONING

### Article VIII. Signs and Billboards

#### § 197-67. General provisions for all zoning districts.

- A. Any sign and/or supporting structure which for a period of 60 days advertises or identifies a closed business that had been conducted, or product no longer sold on the premises, shall be removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign is located within 30 days of receipt of written notice by the Building Official.
- B. No light pole, utility pole or other supporting member of a building or property shall be used for the placement of any sign unless the owner of the pole or supporting member has given prior written approval for such use and the sign otherwise conforms with this article.
- C. All signs for home occupations, bed-and-breakfast establishments, or professional offices located in a residential dwelling, if lit, shall only be externally illuminated. The source of the light shall be enclosed and directed to prevent the source of light from shining directly onto traffic or residential property or otherwise restricting visibility.
- D. A sign accessory to a nonconforming use or structure shall conform to the provisions of the zoning district in which the nonconforming use or structure is located.
- E. All signs, including all supports, braces, guys and anchors, shall be maintained in good repair, free of peeling paint or paper, fading of colors, staining, rust, damage, outages in lighting, or other conditions which impair the legibility of such sign and in conformance with this article and in such a manner so as not to cause a hazard to the public.
- F. At every street intersection there shall be a clear view between the heights of three feet and 10 feet in a triangle formed by the corner and points on the curb 30 feet from the intersection and entranceway.
- G. All signs shall comply with the Building and Electrical Codes of the City of Lewes. Underground wiring shall be required for all illuminated signs or signs requiring electrical connections which are not attached to a building.

H. Temporary permits for special event signs. Notwithstanding any other provision of this chapter, any property owner, tenant or other entity in legal possession of any real property in the City may apply to the Building Official for a temporary permit to display a sign in connection with a special event, subject to the following:

- (1) A "special event" shall, for purposes hereof, mean an event of temporary and limited duration and shall include, by way of example and not in limitation, sidewalk sales, special promotions and public events.
- (2) Permits granted hereunder shall generally be limited to the duration of the event and not exceed seven days consecutive or nonconsecutive. Depending upon the nature of the event and the purpose and location of the temporary sign, a longer period, not exceeding 21 days consecutive or nonconsecutive, may be approved in the exercise of the Building Official's reasonable discretion.
- (3) No temporary permit shall be issued for any sign hereunder which exceeds three feet by five feet or is illuminated by animated, revolving, flashing or moving lights, which is, itself, animated, revolving or moving or which utilizes reflectors or sound devices, nor shall any such permit be granted for an illuminated sign in the OS, OS(H), R-1, R-2, R-2(H), R-3, R-3(H), R-4, R-4(H), R-5, TC, or TC(H) Zoning Districts.

# ZONING

## 197 Attachment I

City of Leves  
Table of Permitted Uses and Structures  
[Amended 5-20-2013]

**Key**  
Blank Not permitted  
P Permitted use  
SE Special exception required  
CU Conditional use required

Uses and Structures	OS	R-1	R-2 and R-2(H)	R-3 and R-3(H)	R-4 and R-4(H)	R-5	LC and LC(H)	TC and TC(H)	GC	MC	C/H	C/F/E	C/F/H/C	C/F	I
	Open Space	Suburban	Residential Low- Density and Residential Low- Density (Historic)	Residential Beach and Residential Beach (Historic)	Residential Medium-Density and Residential Medium- Density (Historic)	Mixed Housing	Limited Commercial and Limited Commercial (Historic)	Town Center and Town Center (Historic)	General Commercial	Marine Commercial	Cultural/Historic	Community Facilities (Educational)	Community Facilities (Health Care)	Community Facilities	Industrial
Agriculture-related															
Agriculture															
Community garden	P	P	P		P	P					P			P	
Residential															
Bed-and-breakfast			SE	SE	SE	P	SE	SE	SE	SE					
Dwelling, attached					P	P	P	P		SE					
Dwelling, detached		P	P	P	P	P	P	P		SE					
Dwelling, multiple-family						P	P	P		SE					
Dwelling, townhouse						P	P	P		SE					
Dwelling, two-family					P	P	P	P		SE					
Dwelling, single-family detached, including modular and manufactured		P	P	P	P	P	P	P		SE					
Dwelling unit, apartment in conjunction with commercial use and only on floors above street level							P	P	P	P					



LEWES CODE

	OS	R-1	R-2 and R-2(H)	R-3 and R-3(H)	R-4 and R-4(H)	R-5	LC and LC(H)	TC and TC(H)	GC	MC	C/H	C/FE	C/FE/C	CF	I
<b>Uses and Structures</b>	<b>Open Space</b>	<b>Suburban</b>	<b>Residential Low- Density and Residential Low- Density (Historic)</b>	<b>Residential Beach and Residential Beach (Historic)</b>	<b>Residential Medium-Density and Residential Medium-Density (Historic)</b>	<b>Mixed Housing</b>	<b>Limited Commercial and Limited Commercial (Historic)</b>	<b>Town Center and Town Center (Historic)</b>	<b>General Commercial</b>	<b>Marine Commercial</b>	<b>Cultural/Historic</b>	<b>Community Facilities (Educational)</b>	<b>Community Facilities (Health Care)</b>	<b>Community Facilities</b>	<b>Industrial</b>
Home-based business		P	P	P	P	P	P	P	P	P					
Hotel or motel								P	P	P					
Sales and rental of goods, merchandise, and equipment								P	P	P					
Restaurants								P	P	P					
Restaurants, above street level								P	P	P					
Retail sales establishments, 10,000 square feet or less	CU						P	P	P	P	CU			CU	P
Retail sales establishments, 10,001 square feet or more										P					
Shopping center															
Wholesale trade establishments									P	P					
Office, clerical, research, and services								P	P	P					
Bank								P	P	P					
Service establishments, business								P	P	P					
Offices, on street level	CU						P	P	P	P				CU	
Offices, on floors above street level	CU						P	P	P	P				CU	
Service establishments, personal							P	P	P	P					
Service establishments, retail							P	P	P	P					
Service establishments, social, street level	CU						P	P	P	P				CU	
Service establishments, social, on any floors above street level	CU						P	P	P	P				CU	
<b>Manufacturing and related enterprises</b>															
Manufacturing activities, except as otherwise prohibited															SE
Research and development														P	P



ZONING

	OS	R-1	R-2 and R-2(H)	R-3 and R-3(H)	R-4 and R-4(H)	R-5	LC and LC(H)	TC and TC(H)	GC	MC	C/H	CFE	CF(HC)	CF	I
	<b>Open Space</b>	<b>Suburban</b>	<b>Residential Low- Density and Residential Low- Density (Historic)</b>	<b>Residential Beach and Residential Beach (Historic)</b>	<b>Residential Medium-Density and Residential Medium-Density (Historic)</b>	<b>Mixed Housing</b>	<b>Limited Commercial and Limited Commercial (Historic)</b>	<b>Town Center and Town Center (Historic)</b>	<b>General Commercial</b>	<b>Marine Commercial</b>	<b>Cultural/Historic</b>	<b>Community Facilities (Educational)</b>	<b>Community Facilities (Health Care)</b>	<b>Community Facilities</b>	<b>Industrial</b>
<b>Uses and Structures</b>															
<b>Educational, cultural, religious, philanthropic, social, fraternal</b>															
<b>Clubs and fraternal and social organizations</b>				P <sup>1</sup>			SE	P	P	P				CU	
<b>Public service organizations</b>	CU			SE			SE	P	P	P				CU	
<b>Colleges and universities</b>				SE								P			
<b>Country club</b>															
<b>Library</b>								P	P	P	P			P	
<b>Museum</b>								P	P	P	P			P	
<b>Places of worship</b>		P	P		P		P	P	P	P	P			P	P
<b>Schools, private</b>				SE					SE			P		SE	
<b>Schools, public</b>												P		P	
<b>Recreation, amusement, entertainment</b>															
<b>Recreation facility</b>									P						
<b>Theater</b>									P						
<b>Institutional care, confinement, medical facilities</b>															
<b>Day-care center, adult</b>															
<b>Day-care center, child (7 or more)</b>							CU		P			SE			
<b>Child-care home, family (1 to 6 children)</b>		CU			CU	CU	CU								
<b>Hospital</b>															
<b>Medical clinic</b>							P		P						
<b>Nursing and care facilities</b>													P		
<b>Surgical center</b>							P		P						
<b>Storage, parking, vehicles</b>															
<b>Automobile repair services</b>									SE						

LEWES CODE

	OS	R-1	R-2 and R-2(H)	R-3 and R-3(H)	R-4 and R-4(H)	R-5	LC and LC(H)	TC and TC(H)	GC	MC	C/H	C/E	C/E(H)	CI	I
<b>Open Space</b>															
<b>Suburban</b>															
<b>Residential Low- Density and Residential Low- Density (Historic)</b>															
<b>Residential Beach and Residential Beach (Historic)</b>															
<b>Residential Medium-Density and Residential Medium-Density (Historic)</b>															
<b>Mixed Housing</b>															
<b>Limited Commercial and Limited Commercial (Historic)</b>															
<b>Town Center and Town Center (Historic)</b>															
<b>General Commercial</b>															
<b>Marine Commercial</b>															
<b>Cultural/Historic</b>															
<b>Community Facilities (Educational)</b>															
<b>Community Facilities (Health Care)</b>															
<b>Community Facilities</b>															
<b>Industrial</b>															
<b>Uses and Structures</b>															
Automobile sales									SE						
Gasoline station									SE						
Gasoline station and convenience center									SE	SE					
Parking facility								P	P	P					
Public, semipublic, emergency, homeland security															
Community center, public									P		P			P	
Government facilities and services, local	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Government facilities and services, nonlocal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parts and open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public safety facilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public utility service facilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public utility service lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation facility, public			P											P	
Not listed elsewhere															
Accessory uses, see § 197-46	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cemeteries		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Gazebo <sup>2</sup>	P														
Marina	P									P					

NOTES:

- The minimum lot size for clubs and fraternal and social organizations in the R-3 and R-3(H) districts shall be 25,000 square feet.
- Within the OS and OS(H) Zones along the Lewes Rehoboth Canal, a gazebo is permitted if located within 10 feet of the mean high-water line.

Town of Georgetown, DE  
Friday, October 25, 2013

## Chapter 230. ZONING

### Article III. Definitions

#### § 230-5. Definitions.

For the purpose of this chapter, certain terms and words are hereby defined as follows:

##### **HOME OCCUPATION**

Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling purposes and which is carried on by a member of a family residing on the premises, and in connection with which there is no display or storage of materials or generation of substantial volumes of vehicular or pedestrian traffic or parking demand or other exterior indication of the home occupation or variation from the residential character of the building, and in connection with which no more than one person outside the resident family is employed and no equipment used which creates offensive noise, vibration, smoke, dust, odor, heat or glare. When within the above requirements, a home occupation includes, but is not limited to, the following:

- A. An art or craft studio.
- B. Dressmaking, custom baking. **[Amended 1-8-1992 by Ord. No. 92-001; 10-24-2001 by Ord. No. 2001-7]**
- C. Professional office of physician, dentist, lawyer, engineer, architect, accountant, salesman, real estate agent or insurance agent or other similar occupation.
- D. Teaching, with musical instruction limited to one or two pupils at a time; however, a home occupation shall not be interpreted to include barber shops, beauty parlors, tourist homes, animal hospitals, tea rooms and restaurants.
- E. Family child-care home. **[Added 10-24-2001 by Ord. No. 2001-7]**



Town of Georgetown, DE  
Thursday, October 24, 2013

## Chapter 230. ZONING

### Article VI. UR1 Urban Residential District

#### § 230-26. Permitted accessory uses.

The following accessory uses shall be permitted on the same lot with the main use:

- A. Accessory off-street parking and loading spaces. Open or enclosed space for parking one commercial vehicle of not more than one-ton capacity and used by the occupant of a dwelling shall be permitted as an accessory use.
- B. Domestic storage in main building or in an accessory building.
- C. Guest house.
- D. Home barbecue grill.
- E. Home occupations in a main building or accessory building.
- F. Playhouses, without plumbing, limited in floor area to 150 square feet and headroom limited to five feet.
- G. Private garage.
- H. Servant's quarters.
- I. Storage of a boat trailer, camp trailer or a boat; provided, however, that such storage shall not be in front of the main building.
- J. Swimming pool and game courts, lighted or unlighted, for use of occupants or their guests, provided that on lots of less than 7,200 square feet only one other accessory building may be permitted.
- K. Temporary buildings, the use of which is incidental to construction operations or sale of lots during development being conducted on the same or adjoining tract or subdivision and which shall be removed upon completion or abandonment of such construction or upon the expiration of two years of the time of erection of such temporary buildings, whichever first occurs.



City of Harrington, DE  
Thursday, October 24, 2013

## Chapter 440. ZONING

### Article IV. One-Family Residential Zone (R-1)

#### § 440-11. Uses permitted; conditional and accessory uses.

- A. In the One-Family Residential Zone (R-1), no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any use except the following:
- (1) One-family detached dwellings, not to exceed one such dwelling per lot.
  - (2) Public buildings, structures and uses, including parks and playgrounds, subject to the approval of site plans by the Planning Commission.
- B. The following uses are permitted, conditioned upon the approval of the Planning Commission and subject to specified requirements as set forth below:
- (1) Places of worship, including parish houses, schools, philanthropic and charitable institutions, hospitals and sanitariums for general medical care, subject to the following requirements:
    - (a) Any school and/or tax-exempt operation permitted under this subsection shall be a nonprofit within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.
    - (b) Any school permitted under this subsection shall occupy a lot of not less than two acres, plus one acre for each 100 pupils or part thereof, and shall not be erected with less than a fifty-foot front yard or nearer than 25 feet to any other street or property line.
    - (c) No such building or part thereof shall be erected with less than a fifty-foot front yard or nearer than 25 feet to any other street or property line.
    - (d) The sum of the area covered by all principal and accessory buildings shall not exceed 50% of the area of the lot.



- (e) Inner courts shall have a minimum dimension not less than 1/2 of the average height of all surrounding walls.
- (f) Outer courts shall have a minimum width of 20 feet, and the depth shall not exceed its width.
- (2) Railroads and public utility rights-of-way and structures necessary to serve the area within the City, subject to such conditions which the Planning Commission may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed structure is to be constructed.
- (3) Annual membership clubs, catering exclusively to members and their guests, and accessory private playgrounds, swimming pools, tennis courts and recreation buildings not conducted as business enterprises, provided that the following shall be prohibited:
  - (a) Outdoor entertainment, live or mechanical.
  - (b) The use of outdoor public address systems for any purpose.
  - (c) Exterior lighting producing glare at the lot line other than that essential for the safety of the user of the premises.
  - (d) Erection of buildings nearer than 50 feet to any street or property line.

C. The following accessory uses are permitted in the R-1 Zone, subject to any specified requirements set forth below:

- (1) Customary home occupations, provided that:
  - (a) No display of goods or sign is visible from the street except as set forth in Subsection C(5) below.
  - (b) Such occupation is incidental to the residential use of the premises and is carried on in the main building by a resident therein with no nonresident assistants.
  - (c) Such occupation is carried on in an area not exceeding 30% of the area of one floor of the main building.
  - (d) There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation or electromagnetic interference.
  - (e) Utility charges, including sewer, water and trash fees, may be increased to compensate the City for increased usage of such utility.
- (2) Professional office or studio of an artist, dentist, musician, teacher or physician, but not including veterinarians, provided that:



- (a) Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one resident assistant;  
**[Amended 12-15-2008 by Ord. No. 08-07]**
  - (b) Such office or studio shall occupy not more than 30% of the area of one floor of the main building;
  - (c) Studios where dancing or music instruction is offered to groups in excess of four pupils at one time, or where concerts or recitals are held, are prohibited.
  - (d) Medical centers, funeral homes or similar uses shall not be considered permitted accessory uses.
- (3) Garden houses, doll houses or play houses, or greenhouses. **[Amended 12-7-2009 by Ord. No. 09-10]**
- (4) Private garages, provided that in the case of a one-family dwelling, such garage shall have a capacity of not more than four passenger vehicles. Once such space may be leased to a person not a resident on the premises.
- (5) Signs, limited as follows:
- (a) One name plate or professional sign with an area not over two square feet.
  - (b) One temporary sign advertising the sale or rental of the premises on which such sign is situated, with an area not over four square feet, provided such sign is located on the front wall of a building, or, if freestanding, not nearer the street line than  $\frac{1}{2}$  the distance between the main building and the street line and not nearer than 15 feet to any other property line.
  - (c) One indirectly illuminated bulletin board or other announcement sign for education or religious institutions permitted in Subsection B with an area of not over 12 square feet, provided that such sign is located not nearer than  $\frac{1}{2}$  the distance from the structure to the property line or attached to the building, if closer. *Editor's Note: Former Subsection e4, regarding house numbers, which immediately followed this subsection, was deleted 12-15-2008 by Ord. No. 08-07.*



City of Harrington, DE  
Thursday, October 24, 2013

## Chapter 440. ZONING

### Article IV. One-Family Residential Zone (R-1)

#### § 440-14. Off-street parking.

A. Required off-street parking spaces:

Use	Number of Required Spaces
Dwellings	2
Places of worship	1 per 200 square feet of floor space
Schools	As state deems necessary
Hospitals or sanitariums	1 per 3 beds
Home occupation or professional use	3 for each such use

B. Parking areas must at a minimum be blacktopped.

C. The minimum standards for driveways and parking spaces shall be two inches of Type C hot mix asphalt over a four-inch, graded aggregate base course. **[Added 5-1-2006 by Ord. No. 06-01]**

